

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF ILLINOIS, EAST ST. LOUIS DIVISION

RECO REED, #B18431,

Plaintiff,

v.

WEXFORD HEALTH SOURCES, INC.,

Defendant.

No. 3:18-cv-01182-JPG-DGW

Judge J. Phil Gilbert

**RENEWED MOTION FOR JUDGMENT AS A MATTER OF LAW OR, IN THE
ALTERNATIVE, MOTION FOR A NEW TRIAL, OR IN THE ALTERNATIVE
MOTION FOR REMITTITUR**

NOW COMES the Defendant WEXFORD HEALTH SOURCES, INC., by and through its attorneys, CASSIDAY SCHADE LLP, and, pursuant to Federal Rule of Civil Procedure 50(b) and 59, hereby submit its Renewed Motion for Judgment as a Matter of Law or in the Alternative, Motion for a New Trial or in the Alternative Motion for Remittitur. In support, Defendant states as follows:

1. Pursuant Federal Rule of Civil Procedure 59 Defendant is entitled to a new trial due to erroneous and prejudicial evidentiary rulings and because the verdict on the Eighth Amendment claim was against the manifest weight of the evidence.

2. Pursuant Federal Rule of Civil Procedure 50(b) Defendant is entitled to judgment as a matter of law on Plaintiff's Eighth Amendment claims, on compensatory damages, and punitive damages.

3. The amount of compensatory damages for emotional pain and suffering was excessive and not rationally connected to the evidence, justifying remittitur.

4. The amount of punitive damages against Wexford was excessive to the point of denying due process in violation of the Fourteenth Amendment.

WHEREFORE, for the above reasons, Defendant respectfully requests this Honorable Court grant its Renewed Motion for Judgment as a Matter of Law, or in the alternative, Motion for New trial, or in the Alternative Motion for Remittitur, or such further relief deemed appropriate.

Respectfully submitted,

CASSIDAY SCHADE LLP

By: /s/ Jaclyn Kinkade

One of the Attorneys for Defendant
WEXFORD HEALTH SOURCES, INC.

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CERTIFICATE OF SERVICE

I hereby certify that on May 8, 2023, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system. The electronic case filing system sent a “Notice of E-Filing” to the following:

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